

MDL 1865

**JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION**

AUG 16 2007

**FILED
CLERK'S OFFICE.**

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

**IN RE: HOUSEHOLD GOODS MOVERS
ANTITRUST LITIGATION**

Gary Moad, et al. v. Atlas Van Lines, Inc., et al.,)	
N.D. Illinois, C.A. No. 1:07-2506)	MDL No. 1865
Donald J. Beach, et al. v. Atlas Van Lines, Inc., et al.,)	
D. South Carolina, C.A. No. 2:07-764)	

TRANSFER ORDER

Before the entire Panel*: Plaintiffs in the District of South Carolina action have moved, pursuant to 28 U.S.C. § 1407, for coordinated or consolidated pretrial proceedings of this litigation in the District of South Carolina. This litigation currently consists of two actions, one action each in the Northern District of Illinois and the District of South Carolina. Defendants¹ support this motion, as do plaintiffs in the Northern District of Illinois action.

On the basis of the papers filed and hearing session held, we find that these actions involve common questions of fact, and that centralization under Section 1407 in the District of South Carolina will serve the convenience of the parties and witnesses and promote the just and efficient conduct of this litigation. These actions share factual questions relating to allegations that defendants entered into an agreement concerning the method for calculating fuel surcharges in violation of the Sherman Antitrust Act. Centralization under Section 1407 will eliminate duplicative discovery; prevent inconsistent pretrial rulings, especially with respect to class certification; and conserve the resources of the parties, their counsel and the judiciary.

We are persuaded that the District of South Carolina is an appropriate transferee forum for this litigation, because the first-filed and more advanced action is pending there, and all responding parties favor centralization in the District of South Carolina.

IT IS THEREFORE ORDERED that, pursuant to 28 U.S.C. § 1407, the action pending in

* Judge Scirica did not participate in the decision of this matter.

¹ American Moving & Storage Association, Inc.; Allied Van Lines, Inc.; Atlas Van Lines, Inc.; Atlas World Group, Inc.; Bekins Van Lines, LLC; Mayflower Transit, LLC; North American Van Lines, Inc.; SIRVA Worldwide, Inc.; SIRVA, Inc.; UniGroup, Inc.; United Van Lines, LLC; and Wheaton Van Lines, Inc.

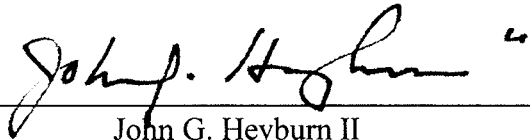
OFFICIAL FILE COPY

IMAGED AUG 16 2007

PLEADING 20

the Northern District of Illinois is transferred to the District of South Carolina and, with the consent of that court, assigned to the Honorable C. Weston Houck for coordinated or consolidated pretrial proceedings with the action pending there.

PANEL ON MULTIDISTRICT LITIGATION

A handwritten signature in black ink, reading "John G. Heyburn II", is positioned above a horizontal line. The signature is written in a cursive, flowing style.

John G. Heyburn II
Chairman

D. Lowell Jensen
Robert L. Miller, Jr.
David R. Hansen

J. Frederick Motz
Kathryn H. Vratil
Anthony J. Scirica*